

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TIMOTHY O'NEIL,

Plaintiff,

v.

SHERIFF VICTOR HILL,

Defendant.

Civil Action File No. 1:21-cv-04173-
AT-CCB

Declaration Under Penalty of Perjury

1. My name is Mark Begnaud. I am over eighteen (18) years of age and suffer no legal disabilities. I give this declaration based on my own personal knowledge.
2. I am counsel for Plaintiff in the above-styled case.
3. Attached hereto as "Exhibit A" is a true and correct copy of the Clayton County Jail's Standard Operating Procedures ("SOP's") I received from an attorney who is also engaged in federal litigation against the Clayton County Sheriff's Office. I have no reason to expect that this document is not accurate, and I invite opposing counsel to weigh in if there are any issues with the validity of this document. My office has sent multiple open records requests to the Clayton County Sheriff's Office for a complete copy of their

SOP's and we have received only the first three sections. My office has also sent open records requests for the Clayton County Jail's inmate handbook and we have never received an Inmate Handbook.

4. My office sent an Open Records request to the Clayton County Sheriff's Office on July 16, 2021, asking for (1) Plaintiff's complete inmate file, and (2) any correspondences regarding Plaintiff. Regarding the inmate file, we specifically requested the following:

The complete inmate file for Mr. Timothy O'Neil (A.K.A. Timothy O'Neal), arrested and booked into the Clayton County Jail on or about October 8, 2019 through October 25, 2019. Please include all documents, grievances, kiosk requests, incident reports, investigative reports, EMS reports, interviews statements, video recordings, audio recordings, emails, text messages, photographs or communications of any kind pertaining to Mr. O'Neil, including any records associated with any use(s) of force or disciplinary actions against Mr. O'Neil.

In response we received only a 25-page document with correspondences about Plaintiff but no documents which appear to indicate that the jail maintains an inmate file on Mr. O'Neil. A true and accurate copy of the open records request and the document received from the Sheriff's Office are attached hereto as "Exhibit B."

5. I, Mark Begnaud, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

This 14th Day of February, 2022.



Mark Begnaud